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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/917,054	07/27/2001	Cary Lee Bates	RSW920010145US1	6259

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EXAMINER	
CORRIELUS, JEAN M	
ART UNIT	**PAPER NUMBER**
2172	8

DATE MAILED: 05/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/917,054	Applicant(s) BATES ET AL.	
	Examiner Jean M Corrielus	Art Unit 2172	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 March 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This office action is in response to the request for reconsideration filed on 03/05/04, in which claims 1-18 are presented for further examination.

Response to Arguments

2. Applicant's arguments filed March 05, 2004 have been fully considered but they are not persuasive. (see Examiner remark's section.)

Drawings

3. The drawings were received on March 5, 2004. It has been placed in the application file. The information referred to therein has been considered as to the merits.

Claim Rejections - 35 U.S.C. 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1-18 are Iizuka et al (hereinafter "Iizuka") US Patent no. 6,424,980 in view of Bogonikolos et al., (hereinafter "Bogonikolos") article entitled "An intelligent agent for adaptive personalized navigation within a Web server".

As to claim 1, Iizuka discloses the claimed "storing, in a memory a set of URLs found by a search engine in a search" as storing a list of URLs returned as a result of a search query (col.1, lines 54-57); "accessing a first web page identified by a first URL included in the set of URLs found by the search engine" as accessing the returned list of URL based on a search query (col.1, lines 58-62); "finding, in the first web page, a link to a second web page identified by a second URL" (see fig.9A-9B). Iizuka, however, does not explicitly disclose the use of "determining whether the second URL is included in the set of URL stored in the memory"; and "marking the link when the second URL is included in the set of URL stored in the memory".

Bogonikolos discloses an analogous system that discloses the claimed "determining whether the second URL is included in the set of URL stored in the memory" as to where every page is a collection of links, wherein a first link constitutes the root of the page where anyone can reach the actual corresponding URL of the web server (page 3, col.1, lines 30-36). Bogonikolos discloses the claimed "marking the link when the second URL is included in the set of URL stored in the memory" as a link to a home page which leads to the home page of the web server, while by following link 3 are led to a new page with the node 3 as root and links to subtrees with nodes 31 and 32 as root, wherein one's can get access to page 3 by following the root link provides (page 3, col.1, line 44-col.2, line 6). Hence the combination of Iizuka and Bogonikolos substantially discloses the invention as claimed. Therefore, it would have been obvious to one having ordinary skill in the art to combine the teaching of the cited references, wherein the integrated retrieval technique, provided therein (see Iizuka's fig.3) would incorporate the use of

marking the link when the second URL is included in the set of URL stored in the memory, in the same conventional manner as disclosed by Bogonikolos. One having ordinary skill in the art would have found it obvious to utilize such a combination for the purpose of providing users with access only to the information that has significant possibility to be interesting, thereby exploiting their time more effectively and increasing their productivity.

As to claim 5, Iizuka discloses the claimed "receiving a set of URLs found by a search engine in a search" (col.1, lines 40-64); "storing a subset of the set of URL in a memory"as storing a list of URLs returned as a result of a search query (col.1, lines 54-57); "accessing a first web page identified by a first URL included in the set of URLs found by the search engine" as accessing the returned list of URL based on a search query (col.1, lines 58-62); "finding, in the first web page, a link to a second web page identified by a second URL"(see fig.9A-9B). Iizuka, however, does not explicitly disclose the use of "determining whether the second URL is included in the set of URL stored in the memory"; and "marking the link when the second URL is included in the set of URL stored in the memory".

Bogonikolos discloses an analogous system that discloses the claimed "determining whether the second URL is included in the set of URL stored in the memory" as to where every page is a collection of links, wherein a first link constitutes the root of the page where anyone can reach the actual corresponding URL of the web server (page 3, col.1, lines 30-36). Bogonikolos discloses the claimed "marking the link when the second URL is included in the set of URL

stored in the memory" as a link to a home page which leads to the home page of the web server, while by following link 3 are led to a new page with the node 3 as root and links to subtrees with nodes 31 and 32 as root, wherein one's can get access to page 3 by following the root link provides (page 3, col.1, line 44-col.2, line 6). Hence the combination of Iizuka and Bogonikolos substantially discloses the invention as claimed. Therefore, it would have been obvious to one having ordinary skill in the art to combine the teaching of the cited references, wherein the integrated retrieval technique, provided therein (see Iizuka□ fig.3) would incorporate the use of marking the link when the second URL is included in the set of URL stored in the memory, in the same conventional manner as disclosed by Bogonikolos. One having ordinary skill in the art would have found it obvious to utilize such a combination for the purpose of providing users with access only to the information that has significant possibility to be interesting, thereby exploiting their time more effectively and increasing their productivity.

As to claim 10, Iizuka discloses the claimed "accessing a first web page" (col.1, lines 58-62); and "finding, in the first web page, a link to a second web page"(see fig.9A-9B). Iizuka, however, does not explicitly disclose the use of "determining whether the second URL is included in the set of URL stored in the memory"; and "marking the link when the second URL is included in the set of URL stored in the memory".

Bogonikolos discloses an analogous system that discloses the claimed "determining whether the second URL is included in the set of URL stored in the memory" as to where every page is a collection of links, wherein a first link constitutes the root of the page where anyone can reach the actual corresponding URL of the web server (page 3, col.1, lines 30-36). Bogonikolos discloses the claimed "marking the link when the second URL is included in the set of URL stored in the memory" as a link to a home page which leads to the home page of the web server, while by following link 3 are led to a new page with the node 3 as root and links to subtrees with nodes 31 and 32 as root, wherein one's can get access to page 3 by following the root link provides (page 3, col.1, line 44-col.2, line 6). Hence the combination of Iizuka and Bogonikolos substantially discloses the invention as claimed. Therefore, it would have been obvious to one having ordinary skill in the art to combine the teaching of the cited references, wherein the integrated retrieval technique, provided therein (see Iizuka□ fig.3) would incorporate the use of marking the link when the second URL is included in the set of URL stored in the memory, in the same conventional manner as disclosed by Bogonikolos. One having ordinary skill in the art would have found it obvious to utilize such a combination for the purpose of providing users with access only to the information that has significant possibility to be interesting, thereby exploiting their time more effectively and increasing their productivity.

As to claim 2, Iizuka discloses the claimed "highlighting a presentation of the link on a visual display" (col.5, lines 36-40; col.6, lines 1-12).

As to claim 3, Iizuka discloses the claimed "changing a color of a presentation of the link by a visual display" (col.2, lines 52-56).

As to claim 4, Iizuka discloses the claimed "changing a font of a presentation of the link by a visual display" (col.2, lines 52-56).

As to claim 6, Iizuka discloses the claimed "wherein the subset is a proper subset" (col.1, lines 40-65).

As to claim 7, Iizuka discloses the claimed "highlighting a presentation of the link on a visual display"(col.5, lines 36-40; col.6, lines 1-12).

As to claim 8, Iizuka discloses the claimed "changing a color of a presentation of the link by a visual display"(col.2, lines 52-56).

As to claim 9, Iizuka discloses the claimed "changing a font of a presentation of the link by a visual display"(col.2, lines 52-56).

As to claim 12, Iizuka discloses the claimed "sending a URL that identifies the second web page from a browser to the search engine" (col.1, lines 40-65).

As to claim 11, Iizuka discloses the claimed "accepting search criteria entered by a searcher into a browser and sending the search criteria from the browser to the search engine" (col.1, lines 40-65).

As to claim 13-18

Claims 13-18 are programmable media containing programmable software performed by the method of claims 1-12. They are, therefore, rejected under the same rationale.

Remark

(A). Applicants asserted that the proposed combination of Lizuka and Bogonikolos does not suggest or teach the use of determining or comparing whether a second URL is included in a set of URLs stored in a memory. The examiner disagrees with the precedent assertion. However, when read and analyzed in the light of the specification, the invention as claimed does not support applicants' assertion. Moreover, the claims do not capture the essence of the invention as argued in applicants' remark pages 5-6. It is important to note that applicants are interpreting the claims very narrow without considering the broad teachings of the reference used in the rejection. In paper no. 4, the examiner went through the claims phrase by phrase and referred to the prior art column and line number as to where he has drawn the correspondences between applicants' claims phrases and prior art. By failing to address these correspondences, applicants

have failed to rebut the examiner's prima facie case of obviousness uses for a different purpose which does not alter the conclusion that its use in a prior art device would be prima facie obvious from the purpose disclosed in the reference. All the applicants have done on their remark is to paraphrase the office that was submitted in last office action (paper no.4). There is no mentioned as to how the languages of the claims are different from the prior art used in the rejection. It is respectfully submitted that Bogonikolos discloses an analogous system that discloses the claimed "determining whether the second URL is included in the set of URL stored in the memory" as to where every page is a collection of links, wherein a first link constitutes the root of the page where anyone can reach the actual corresponding URL of the web server (page 3, col.1, lines 30-36). Bogonikolos discloses the claimed "marking the link when the second URL is included in the set of URL stored in the memory" as a link to a home page which leads to the home page of the web server, while by following link 3 are led to a new page with the node 3 as root and links to subtrees with nodes 31 and 32 as root, wherein one's can get access to page 3 by following the root link provides (page 3, col.1, line 44-col.2, line 6). The examiner has acknowledged that the indication of Fig.1A-Fig.1C was graphical typo error, which is Fig.1A-Fig.1B. Hence the combination of Iizuka and Bogonikolos substantially discloses the invention as claimed. The 103 rejections is hereby sustained.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean M. Corrielus whose telephone number is (703) 306-3035. The examiner can normally be reached on Monday - Friday (12:00pm - 7:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (703) 305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jean M. Corrielus

Patent Examiner

Art Unit 2172

May 6, 2004